

**Pepper Hamilton LLP**  
Attorneys at Law

The New York Times Building  
37th Floor  
620 Eighth Avenue  
New York, NY 10018-1405  
212.808.2700  
Fax 212.286.9806

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H. Peter Havéles, Jr.  
havelesp@pepperlaw.com  
212.808.2755

April 30, 2018

MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe  
Paul G. Gardephe, U.S.D.J.

Dated: May 7, 2018

**Via Facsimile ((212) 805-7986)**

Honorable Paul G. Gardephe  
United States District Court  
40 Foley Square, Room 2204  
New York, New York 10007

Re: SportsMEDIA Technology Corp., et al. v. MLB Advanced Media, Inc.  
No. 18-cv-3025

Dear Judge Gardephe:

We are attorneys for plaintiffs SportsMEDIA Technology Corp (“SMT”) and Sportvision, Inc. (“Sportvision”) in this action.

In accordance with Rule II of Your Honor’s Individual Rules of Practice, we submit this letter on behalf of plaintiffs, requesting that the Court seal certain limited portions of Exhibits B, C, D, E and F to the First Amended Complaint. Enclosed is my declaration in support of this application.

On April 24, 2018, defendant submitted a letter to Your Honor requesting that certain portions of Exhibits B through F to the original Complaint (Dkt. No. 8) be kept under seal. On April 25, 2018, the Court issued an Endorsed Letter (the “Endorsed Letter,” Dkt. No. 23) granting defendant’s request and ordering that redacted versions of Exhibits B through F be posted on the public docket by April 27, 2018.

On April 27, 2018, plaintiffs filed the First Amended Complaint (Dkt. No. 26), which includes the exact same exhibits as the exhibits to the original Complaint. Accordingly, plaintiffs filed redacted versions of Exhibits B through F to the First Amended Complaint in the form approved by the Endorsed Letter on the public docket.

Philadelphia	Boston	Washington, D.C.	Los Angeles	New York	Pittsburgh
Detroit	Berwyn	Harrisburg	Orange County	Princeton	Silicon Valley

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Plaintiffs filed the First Amended Complaint electronically and then attempted to file unredacted versions of Exhibits B through F under seal and redacted revisions in the public record. The Clerk's office did not accept the documents for filing because the April 25 Endorsed Letter does not also address the exhibits to the First Amended Complaint.

Accordingly, plaintiffs respectfully request that the Court grant permission for plaintiffs (i) to file under seal the same portions of Exhibits B through F to the First Amended Complaint that the Court previously approved for filing under seal in the April 25 Endorsed Letter relating to the exhibits to the original Complaint, and (ii) to file a redacted version of those exhibits in the public record.

Plaintiffs have conferred with defendant and it does not object to this request.

We thank the Court in advance for its consideration of this request.

Respectfully,



H. Peter Haveles, Jr.

Enclosure

cc: Alan E. Littmann, Esq. (via email)  
Brian P. O'Donoghue, Esq. (via email)  
Laura Sexton, Esq. (via email)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SPORTVISION, INC. and SPORTSMEDIA  
TECHNOLOGY CORPORATION,

No. 18-cv-03025

Plaintiffs,

v.

MLB ADVANCED MEDIA, LP,

Defendant.

**DECLARATION OF H. PETER HAVELES, JR. IN SUPPORT  
OF REQUEST TO FILE EXHIBITS B-F OF THE FIRST AMENDED COMPLAINT  
UNDER SEAL**

I, H. Peter Haveles, Jr., am an attorney admitted to practice before the Courts of the State of New York and am a member of Pepper Hamilton LLP, attorneys for plaintiffs SportsMEDIA Technology Corp and Sportvision, Inc. I hereby declare that the following is true and correct:

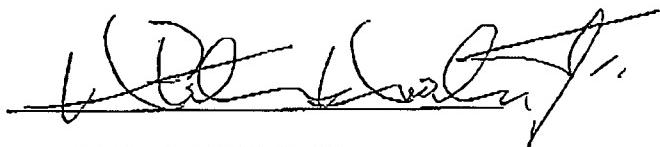
1. I submit this declaration in support of plaintiffs' letter application to the Court requesting that certain portions of Exhibits B through F to the First Amended Complaint be filed under seal.
2. Plaintiffs filed the Complaint in this action on April 5, 2018 and attached as exhibits the Endeavor Contract and its amendments, which are Exhibits B through F to the Complaint.
3. In an April 25, 2018 Endorsed Letter (the "Endorsed Letter"), the Court granted permission for certain limited portions of Exhibits B through F to be filed under seal.

4. On April 27, 2018, plaintiffs filed the First Amended Complaint, which contains identical exhibits to those attached to the original Complaint. As part of that filing, plaintiffs filed redacted versions of Exhibits B through F in the exact same form approved by the Endorsed Letter.

5. Plaintiffs then attempted to file unredacted versions of Exhibits B through F to the First Amended Complaint under seal, but the Clerk's office would not accept either the documents for filing under seal or the redacted revision of them for the public record because the Endorsed Letter does not also address exhibits to an amended complaint.

6. We have consulted with counsel for defendant. Defendant does not object to plaintiffs' request that Exhibits B through F to the First Amended Complaint be filed under seal in the form previously approved by the Court in the Endorsed Letter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 30<sup>th</sup> day of April, 2018 in New York City, New York.



H. PETER HAVELES, JR.